

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 17**  
94TH GENERAL ASSEMBLY

---

Reported from the Committee on Transportation, March 8, 2007, with recommendation that the Senate Committee Substitute do pass.

0043S.08C

TERRY L. SPIELER, Secretary.

---

**AN ACT**

To repeal sections 301.020, 301.132, 301.147, 301.190, 301.800, 307.178, 307.350, 307.353, 307.355, 307.360, 307.365, 307.370, 307.375, 307.380, 307.385, 307.390, 643.303, and 643.315, RSMo, and to enact in lieu thereof ten new sections relating to the regulation of motor vehicles, with penalty provisions and an effective date.

---

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 301.020, 301.132, 301.147, 301.190, 301.800, 307.178, 307.350, 307.353, 307.355, 307.360, 307.365, 307.370, 307.375, 307.380, 307.385, 307.390, 643.303, and 643.315, RSMo, are repealed and ten new sections enacted in lieu thereof, to be known as sections 301.020, 301.132, 301.147, 301.190, 301.800, 307.178, 307.375, 307.390, 643.303, and 643.315, to read as follows:

301.020. 1. Every owner of a motor vehicle or trailer, which shall be operated or driven upon the highways of this state, except as herein otherwise expressly provided, shall annually file, by mail or otherwise, in the office of the director of revenue, an application for registration on a blank to be furnished by the director of revenue for that purpose containing:

(1) A brief description of the motor vehicle or trailer to be registered, including the name of the manufacturer, the vehicle identification number, the amount of motive power of the motor vehicle, stated in figures of horsepower and whether the motor vehicle is to be registered as a motor vehicle primarily for business use as defined in section 301.010;

(2) The name, the applicant's identification number and address of the owner of such motor vehicle or trailer;

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

13           (3) The gross weight of the vehicle and the desired load in pounds if the  
14 vehicle is a commercial motor vehicle or trailer.

15           2. If the vehicle is a motor vehicle primarily for business use as defined  
16 in section 301.010 and if such vehicle is five years of age or less, the director of  
17 revenue shall **[retain] obtain** the odometer information **[provided in the vehicle**  
18 **inspection report] in a manner prescribed by rule**, and provide for prompt  
19 access to such information, together with the vehicle identification number for the  
20 motor vehicle to which such information pertains, for a period of five years after  
21 the receipt of such information. This section shall not apply unless:

22           (1) The application for the vehicle's certificate of ownership was submitted  
23 after July 1, 1989; and

24           (2) The certificate was issued pursuant to a manufacturer's statement of  
25 origin.

26           3. If the vehicle is any motor vehicle other than a motor vehicle primarily  
27 for business use, a recreational motor vehicle, motorcycle, motortricycle, bus or  
28 any commercial motor vehicle licensed for over twelve thousand pounds and if  
29 such motor vehicle is five years of age or less, the director of revenue shall  
30 **[retain] obtain** the odometer information **[provided in the vehicle inspection**  
31 **report] in a manner prescribed by rule**, and provide for prompt access to such  
32 information, together with the vehicle identification number for the motor vehicle  
33 to which such information pertains, for a period of five years after the receipt of  
34 such information. This subsection shall not apply unless:

35           (1) The application for the vehicle's certificate of ownership was submitted  
36 after July 1, 1990; and

37           (2) The certificate was issued pursuant to a manufacturer's statement of  
38 origin.

39           4. If the vehicle qualifies as a reconstructed motor vehicle, motor change  
40 vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as  
41 defined in section 301.010, or prior salvage as referenced in section 301.573, the  
42 owner or lienholder shall surrender the certificate of ownership. The owner shall  
43 make an application for a new certificate of ownership, pay the required title fee,  
44 and obtain the vehicle examination certificate required pursuant to subsection 9  
45 of section 301.190. If an insurance company which pays a claim on a salvage  
46 vehicle as defined in section 301.010 and the insured is retaining ownership of  
47 the vehicle, as prior salvage, the vehicle shall only be required to meet the  
48 examination requirements under and pursuant to subsection 10 of section

49 301.190. Notarized bills of sale along with a copy of the front and back of the  
50 certificate of ownership for all major component parts installed on the vehicle and  
51 invoices for all essential parts which are not defined as major component parts  
52 shall accompany the application for a new certificate of ownership. If the vehicle  
53 is a specially constructed motor vehicle, as defined in section 301.010, two  
54 pictures of the vehicle shall be submitted with the application. If the vehicle is  
55 a kit vehicle, the applicant shall submit the invoice and the manufacturer's  
56 statement of origin on the kit. If the vehicle requires the issuance of a special  
57 number by the director of revenue or a replacement vehicle identification number,  
58 the applicant shall submit the required application and application fee. All  
59 applications required under this subsection shall be submitted with any  
60 applicable taxes which may be due on the purchase of the vehicle or parts. The  
61 director of revenue shall appropriately designate "Reconstructed Motor Vehicle",  
62 "Motor Change Vehicle", "Non-USA-Std Motor Vehicle", or "Specially Constructed  
63 Motor Vehicle" on the current and all subsequent issues of the certificate of  
64 ownership of such vehicle.

65 5. Every insurance company which pays a claim for repair of a motor  
66 vehicle which as the result of such repairs becomes a reconstructed motor vehicle  
67 as defined in section 301.010 or which pays a claim on a salvage vehicle as  
68 defined in section 301.010 and the insured is retaining ownership of the vehicle,  
69 shall in writing notify the claimant, if he is the owner of the vehicle, and the  
70 lienholder if a lien is in effect, that he is required to surrender the certificate of  
71 ownership, and the documents and fees required pursuant to subsection 4 of this  
72 section to obtain a prior salvage motor vehicle certificate of ownership or  
73 documents and fees as otherwise required by law to obtain a salvage certificate  
74 of ownership, from the director of revenue. The insurance company shall within  
75 thirty days of the payment of such claims report to the director of revenue the  
76 name and address of such claimant, the year, make, model, vehicle identification  
77 number, and license plate number of the vehicle, and the date of loss and  
78 payment.

79 6. Anyone who fails to comply with the requirements of this section shall  
80 be guilty of a class B misdemeanor.

81 7. An applicant for registration may make a donation of one dollar to  
82 promote a blindness education, screening and treatment program. The director  
83 of revenue shall collect the donations and deposit all such donations in the state  
84 treasury to the credit of the blindness education, screening and treatment

85 program fund established in section 192.935, RSMo. Moneys in the blindness  
86 education, screening and treatment program fund shall be used solely for the  
87 purposes established in section 192.935, RSMo, except that the department of  
88 revenue shall retain no more than one percent for its administrative costs. The  
89 donation prescribed in this subsection is voluntary and may be refused by the  
90 applicant for registration at the time of issuance or renewal. The director shall  
91 inquire of each applicant at the time the applicant presents the completed  
92 application to the director whether the applicant is interested in making the one  
93 dollar donation prescribed in this subsection.

94 8. An applicant for registration may make a donation of one dollar to  
95 promote an organ donor program. The director of revenue shall collect the  
96 donations and deposit all such donations in the state treasury to the credit of the  
97 organ donor program fund as established in sections 194.297 to 194.304,  
98 RSMo. Moneys in the organ donor fund shall be used solely for the purposes  
99 established in sections 194.297 to 194.304, RSMo, except that the department of  
100 revenue shall retain no more than one percent for its administrative costs. The  
101 donation prescribed in this subsection is voluntary and may be refused by the  
102 applicant for registration at the time of issuance or renewal. The director shall  
103 inquire of each applicant at the time the applicant presents the completed  
104 application to the director whether the applicant is interested in making the one  
105 dollar donation prescribed in this subsection.

301.132. 1. For purposes of this section, "street rod" is a vehicle older  
2 than 1949 or a vehicle manufactured after 1948 to resemble a vehicle  
3 manufactured before 1949; and has been altered from the manufacturer's original  
4 design or has a body constructed from nonoriginal materials.

5 2. The model year and the year of manufacture that are listed on the  
6 certificate of title of a street rod vehicle shall be the model year and year of  
7 manufacture that the body of such vehicle resembles. The current and all  
8 subsequent certificates of ownership shall be designated with the word  
9 "REPLICA".

10 3. For each street rod, there shall be an annual fee equal to the fee  
11 charged for personalized license plates in section 301.144 in addition to the  
12 regular annual registration fees.

13 4. In applying for registration of a street rod pursuant to this section, the  
14 owner of the street rod shall submit with the application a certification that the  
15 vehicle for which the application is made:

16 (1) Will be maintained for occasional transportation, exhibitions, club  
17 activities, parades, tours, and similar uses;

18 (2) Will not be used for general daily transportation.

19 5. [In addition to the certification required pursuant to subsection 4 of  
20 this section, when applying for registration of a street rod, the new owner of the  
21 street rod shall provide proof that the street rod passed a safety inspection in  
22 accordance with section 307.350, RSMo, that shall be approved by the department  
23 of public safety in consultation with the street rod community in this state.

24 6.] On registration of a vehicle pursuant to this section, the director of the  
25 department of revenue shall issue to the owner two license plates containing the  
26 number assigned to the registration certificate issued by the director of revenue,  
27 and the following words: "STREET ROD", "STATE OF MISSOURI". Such license  
28 plates shall be kept securely attached to the motor vehicle registered pursuant  
29 to this section. The director of revenue shall determine the characteristic  
30 features of such license plates for vehicles registered pursuant to the provisions  
31 of this section so that they may be recognized as such, except that such license  
32 plates shall be made with fully reflective material with a common color scheme  
33 and design, shall be clearly visible at night, and shall be aesthetically attractive,  
34 as prescribed by section 301.130.

35 [7.] 6. Unless the presence of the equipment was specifically required by  
36 a statute of this state as a condition of sale in the year listed as the year of  
37 manufacture on the certificate of title, the presence of any specific equipment is  
38 not required for the operation of a vehicle registered pursuant to this section.

39 [8. Except as provided in subsection 5 of this section,]

40 7. A vehicle registered pursuant to this section is exempt from any statute  
41 of this state that requires periodic vehicle inspections and from any statute of  
42 this state that requires the use and inspection of emission controls.

43 [9.] 8. A "custom vehicle" means any motor vehicle that:

44 (1) Is at least twenty-five years old and of a model year after 1948, or was  
45 manufactured to resemble a vehicle twenty-five years old or older and of a model  
46 year after 1948; and

47 (2) Has been altered from the manufacturer's original design, or has an  
48 entire body constructed from nonoriginal materials.

49 [10.] 9. The model year and the year of manufacture that are listed on  
50 the certificate of title of a custom vehicle shall be the model year and year of  
51 manufacture that the body of such vehicle resembles. The current and all

52 subsequent certificates of ownership shall be designated with the word  
53 "REPLICA".

54 [11.] 10. For each custom vehicle, there shall be an annual fee equal to  
55 the fee charged for personalized license plates in section 301.144 in addition to  
56 the regular annual registration fees.

57 [12.] 11. In applying for registration of a custom vehicle pursuant to this  
58 section, the owner of the custom vehicle shall submit with the application a  
59 certification that the vehicle for which the application is made:

60 (1) Will be maintained for occasional transportation, exhibits, club  
61 activities, parades, tours, and similar uses; and

62 (2) Will not be used for general daily transportation.

63 [13. In addition to the certification required pursuant to subsection 12 of  
64 this section, when applying for registration of a custom vehicle, the new owner  
65 of the custom vehicle shall provide proof that the custom vehicle passed a safety  
66 inspection in accordance with section 307.350, RSMo, that shall be approved by  
67 the department of public safety in consultation with the street rod community in  
68 this state.]

69 [14.] 12. On registration of a vehicle pursuant to this section, the director  
70 of the department of revenue shall issue to the owner two license plates  
71 containing the number assigned to the registration certificate issued by the  
72 director of revenue, and the following words: "CUSTOM VEHICLE", "STATE OF  
73 MISSOURI". Such license plates shall be kept securely attached to the motor  
74 vehicle registered hereunder. The director of revenue shall determine the  
75 characteristic features of such license plates for vehicles registered pursuant to  
76 the provisions of this section so that they may be recognized as such, except that  
77 such license plates shall be made with fully reflective material with a common  
78 color scheme and design, shall be clearly visible at night, and shall be  
79 aesthetically attractive, as prescribed by section 301.130.

80 [15.] 13. Unless the presence of the equipment was specifically required  
81 by a statute of this state as a condition of sale in the year listed as the year of  
82 manufacture on the certificate of title, the presence of any specific equipment is  
83 not required for the operation of a vehicle registered pursuant to this section.

84 [16. Except as provided in subsection 13 of this section,]

85 14. A vehicle registered pursuant to this section is exempt from any  
86 statute of this state that requires periodic vehicle inspections and from any  
87 statute of this state that requires the use and inspection of emission controls.

88 [17.] 15. For purposes of this section, "blue dot tail light" is a red lamp  
89 installed in the rear of a motor vehicle containing a blue or purple insert that is  
90 not more than one inch in diameter.

91 [18.] 16. A street rod or custom vehicle may use blue dot tail lights for  
92 stop lamps, rear turning indicator lamps, rear hazard lamps, and rear reflectors.

301.147. 1. Notwithstanding the provisions of section 301.020 to the  
2 contrary, beginning July 1, 2000, the director of revenue [may] **shall** provide  
3 owners of motor vehicles, other than commercial motor vehicles licensed in excess  
4 of twelve thousand pounds gross weight, the option of biennially registering motor  
5 vehicles[. Any vehicle manufactured as an even-numbered model year vehicle  
6 shall be renewed each even-numbered calendar year and any such vehicle  
7 manufactured as an odd-numbered model year vehicle shall be renewed each  
8 odd-numbered calendar year], subject to the following requirements:

9 (1) The fee collected at the time of biennial registration shall include the  
10 annual registration fee plus a pro rata amount for the additional twelve months  
11 of the biennial registration;

12 (2) Presentation of all documentation otherwise required by law for  
13 vehicle registration including, but not limited to, a personal property tax receipt  
14 or certified statement for the preceding year that no such taxes were due as set  
15 forth in section 301.025, **and** proof of [a motor vehicle safety inspection and] any  
16 applicable emission inspection conducted within sixty days prior to the date of  
17 application and proof of insurance as required by section 303.026, RSMo.

18 2. The director of revenue may prescribe rules and regulations for the  
19 effective administration of this section. The director is authorized to adopt those  
20 rules that are reasonable and necessary to accomplish the limited duties  
21 specifically delegated within this section. Any rule or portion of a rule, as that  
22 term is defined in section 536.010, RSMo, that is promulgated pursuant to the  
23 authority delegated in this section shall become effective only if it has been  
24 promulgated pursuant to the provisions of chapter 536, RSMo. This section and  
25 chapter 536, RSMo, are nonseverable and if any of the powers vested with the  
26 general assembly pursuant to chapter 536, RSMo, to review, to delay the effective  
27 date or to disapprove and annul a rule are subsequently held unconstitutional,  
28 then the grant of rulemaking authority and any rule proposed or adopted after  
29 July 1, 2000, shall be invalid and void.

30 3. The director of revenue shall have the authority to stagger the  
31 registration period of motor vehicles other than commercial motor vehicles

32 licensed in excess of twelve thousand pounds gross weight. Once the owner of a  
33 motor vehicle chooses the option of biennial registration, such registration must  
34 be maintained for the full twenty-four month period.

301.190. 1. No certificate of registration of any motor vehicle or trailer,  
2 or number plate therefor, shall be issued by the director of revenue unless the  
3 applicant therefor shall make application for and be granted a certificate of  
4 ownership of such motor vehicle or trailer, or shall present satisfactory evidence  
5 that such certificate has been previously issued to the applicant for such motor  
6 vehicle or trailer. Application shall be made within thirty days after the  
7 applicant acquires the motor vehicle or trailer upon a blank form furnished by the  
8 director of revenue and shall contain the applicant's identification number, a full  
9 description of the motor vehicle or trailer, the vehicle identification number, and  
10 the mileage registered on the odometer at the time of transfer of ownership, as  
11 required by section 407.536, RSMo, together with a statement of the applicant's  
12 source of title and of any liens or encumbrances on the motor vehicle or trailer,  
13 provided that for good cause shown the director of revenue may extend the period  
14 of time for making such application.

15 2. The director of revenue shall use reasonable diligence in ascertaining  
16 whether the facts stated in such application are true and shall, to the extent  
17 possible without substantially delaying processing of the application, review any  
18 odometer information pertaining to such motor vehicle that is accessible to the  
19 director of revenue. If satisfied that the applicant is the lawful owner of such  
20 motor vehicle or trailer, or otherwise entitled to have the same registered in his  
21 name, the director shall thereupon issue an appropriate certificate over his  
22 signature and sealed with the seal of his office, procured and used for such  
23 purpose. The certificate shall contain on its face a complete description, vehicle  
24 identification number, and other evidence of identification of the motor vehicle  
25 or trailer, as the director of revenue may deem necessary, together with the  
26 odometer information required to be put on the face of the certificate pursuant to  
27 section 407.536, RSMo, a statement of any liens or encumbrances which the  
28 application may show to be thereon, and, if ownership of the vehicle has been  
29 transferred, the name of the state issuing the transferor's title and whether the  
30 transferor's odometer mileage statement executed pursuant to section 407.536,  
31 RSMo, indicated that the true mileage is materially different from the number of  
32 miles shown on the odometer, or is unknown.

33 3. The director of revenue shall appropriately designate on the current

34 and all subsequent issues of the certificate the words "Reconstructed Motor  
35 Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or  
36 "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1,  
37 1990, on all original and all subsequent issues of the certificate for motor vehicles  
38 as referenced in subsections 2 and 3 of section 301.020, the director shall print  
39 on the face thereof the following designation: "Annual odometer updates may be  
40 available from the department of revenue.". On any duplicate certificate, the  
41 director of revenue shall reprint on the face thereof the most recent of either:

42 (1) The mileage information included on the face of the immediately prior  
43 certificate and the date of purchase or issuance of the immediately prior  
44 certificate; or

45 (2) Any other mileage information provided to the director of revenue, and  
46 the date the director obtained or recorded that information.

47 4. The certificate of ownership issued by the director of revenue shall be  
48 manufactured in a manner to prohibit as nearly as possible the ability to alter,  
49 counterfeit, duplicate, or forge such certificate without ready detection. In order  
50 to carry out the requirements of this subsection, the director of revenue may  
51 contract with a nonprofit scientific or educational institution specializing in the  
52 analysis of secure documents to determine the most effective methods of  
53 rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

54 5. The fee for each original certificate so issued shall be eight dollars and  
55 fifty cents, in addition to the fee for registration of such motor vehicle or trailer.  
56 If application for the certificate is not made within thirty days after the vehicle  
57 is acquired by the applicant, a delinquency penalty fee of twenty-five dollars for  
58 the first thirty days of delinquency and twenty-five dollars for each thirty days  
59 of delinquency thereafter, not to exceed a total of one hundred dollars before  
60 November 1, 2003, and not to exceed a total of two hundred dollars on or after  
61 November 1, 2003, shall be imposed, but such penalty may be waived by the  
62 director for a good cause shown. If the director of revenue learns that any person  
63 has failed to obtain a certificate within thirty days after acquiring a motor vehicle  
64 or trailer or has sold a vehicle without obtaining a certificate, he shall cancel the  
65 registration of all vehicles registered in the name of the person, either as sole  
66 owner or as a co-owner, and shall notify the person that the cancellation will  
67 remain in force until the person pays the delinquency penalty fee provided in this  
68 section, together with all fees, charges and payments which he should have paid  
69 in connection with the certificate of ownership and registration of the

70 vehicle. The certificate shall be good for the life of the motor vehicle or trailer so  
71 long as the same is owned or held by the original holder of the certificate and  
72 shall not have to be renewed annually.

73           6. Any applicant for a certificate of ownership requesting the department  
74 of revenue to process an application for a certificate of ownership in an  
75 expeditious manner requiring special handling shall pay a fee of five dollars in  
76 addition to the regular certificate of ownership fee.

77           7. It is unlawful for any person to operate in this state a motor vehicle or  
78 trailer required to be registered under the provisions of the law unless a  
79 certificate of ownership has been issued as herein provided.

80           8. Before an original Missouri certificate of ownership is issued, an  
81 inspection of the vehicle and a verification of vehicle identification numbers shall  
82 be made by the Missouri state highway patrol on vehicles for which there is a  
83 current title issued by another state if a Missouri salvage certificate of title has  
84 been issued for the same vehicle but no prior inspection and verification has been  
85 made in this state, except that if such vehicle has been inspected in another state  
86 by a law enforcement officer in a manner comparable to the inspection process in  
87 this state and the vehicle identification numbers have been so verified, the  
88 applicant shall not be liable for the twenty-five dollar inspection fee if such  
89 applicant submits proof of inspection and vehicle identification number  
90 verification to the director of revenue at the time of the application. The  
91 applicant, who has such a title for a vehicle on which no prior inspection and  
92 verification have been made, shall pay a fee of twenty-five dollars for such  
93 verification and inspection, payable to the director of revenue at the time of the  
94 request for the application, which shall be deposited in the state treasury to the  
95 credit of the state highways and transportation department fund.

96           9. Each application for an original Missouri certificate of ownership for  
97 a vehicle which is classified as a reconstructed motor vehicle, specially  
98 constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor  
99 vehicle, or other vehicle as required by the director of revenue shall be  
100 accompanied by a vehicle examination certificate issued by the Missouri state  
101 highway patrol, or other law enforcement agency as authorized by the director of  
102 revenue. The vehicle examination shall include a verification of vehicle  
103 identification numbers and a determination of the classification of the  
104 vehicle. The owner of a vehicle which requires a vehicle examination certificate  
105 shall present the vehicle for examination and obtain a completed vehicle

106 examination certificate prior to submitting an application for a certificate of  
107 ownership to the director of revenue. The fee for the vehicle examination  
108 application shall be twenty-five dollars and shall be collected by the director of  
109 revenue at the time of the request for the application and shall be deposited in  
110 the state treasury to the credit of the state highways and transportation  
111 department fund.

112           10. [When an application is made for an original Missouri certificate of  
113 ownership for a motor vehicle previously registered or titled in a state other than  
114 Missouri or as required by section 301.020, it shall be accompanied by a current  
115 inspection form certified by a duly authorized official inspection station as  
116 described in chapter 307, RSMo. The completed form shall certify that the  
117 manufacturer's identification number for the vehicle has been inspected, that it  
118 is correctly displayed on the vehicle and shall certify the reading shown on the  
119 odometer at the time of inspection. The inspection station shall collect the same  
120 fee as authorized in section 307.365, RSMo, for making the inspection, and the  
121 fee shall be deposited in the same manner as provided in section 307.365, RSMo.  
122 If the vehicle is also to be registered in Missouri, the safety inspection required  
123 in chapter 307, RSMo, and the emissions inspection required under chapter 643,  
124 RSMo, shall be completed and only the fees required by section 307.365, RSMo,  
125 and section 643.315, RSMo, shall be charged to the owner. This section shall not  
126 apply to vehicles being transferred on a manufacturer's statement of origin.

127           11.] Motor vehicles brought into this state in a wrecked or damaged  
128 condition or after being towed as an abandoned vehicle pursuant to another  
129 state's abandoned motor vehicle procedures shall, in lieu of the inspection  
130 required by subsection 10 of this section, be inspected by the Missouri state  
131 highway patrol in accordance with subsection 9 of this section. If the inspection  
132 reveals the vehicle to be in a salvage or junk condition, the director shall so  
133 indicate on any Missouri certificate of ownership issued for such vehicle. Any  
134 salvage designation shall be carried forward on all subsequently issued  
135 certificates of title for the motor vehicle.

136           [12.] 11. When an application is made for an original Missouri certificate  
137 of ownership for a motor vehicle previously registered or titled in a state other  
138 than Missouri, and the certificate of ownership has been appropriately designated  
139 by the issuing state as a reconstructed motor vehicle, motor change vehicle, or  
140 specially constructed motor vehicle, the director of revenue shall appropriately  
141 designate on the current Missouri and all subsequent issues of the certificate of

142 ownership the name of the issuing state and such prior designation.

143 [13.] 12. When an application is made for an original Missouri certificate  
144 of ownership for a motor vehicle previously registered or titled in a state other  
145 than Missouri, and the certificate of ownership has been appropriately designated  
146 by the issuing state as non-USA-std motor vehicle, the director of revenue shall  
147 appropriately designate on the current Missouri and all subsequent issues of the  
148 certificate of ownership the words "Non-USA-Std Motor Vehicle".

149 [14.] 13. The director of revenue and the superintendent of the Missouri  
150 state highway patrol shall make and enforce rules for the administration of the  
151 inspections required by this section.

152 [15.] 14. Each application for an original Missouri certificate of  
153 ownership for a vehicle which is classified as a reconstructed motor vehicle,  
154 manufactured forty or more years prior to the current model year, and which has  
155 a value of three thousand dollars or less shall be accompanied by:

156 (1) A proper affidavit submitted by the owner explaining how the motor  
157 vehicle or trailer was acquired and, if applicable, the reasons a valid certificate  
158 of ownership cannot be furnished;

159 (2) Photocopies of receipts, bills of sale establishing ownership, or titles,  
160 and the source of all major component parts used to rebuild the vehicle;

161 (3) A fee of one hundred fifty dollars in addition to the fees described in  
162 subsection 5 of this section. Such fee shall be deposited in the state treasury to  
163 the credit of the state highways and transportation department fund; and

164 (4) An inspection certificate, other than a motor vehicle examination  
165 certificate required under subsection 9 of this section, completed and issued by  
166 the Missouri state highway patrol, or other law enforcement agency as authorized  
167 by the director of revenue. The inspection performed by the highway patrol or  
168 other authorized local law enforcement agency shall include a check for stolen  
169 vehicles.

170 The department of revenue shall issue the owner a certificate of ownership  
171 designated with the words "Reconstructed Motor Vehicle" and deliver such  
172 certificate of ownership in accordance with the provisions of this  
173 chapter. Notwithstanding subsection 9 of this section, no owner of a  
174 reconstructed motor vehicle described in this subsection shall be required to  
175 obtain a vehicle examination certificate issued by the Missouri state highway  
176 patrol.

301.800. 1. Any motor vehicle assembled by a two- or four-year

2 institution of higher education exclusively utilizing solar power and built to  
3 compete in a national competition organized to foster interest in solar energy  
4 shall be registered and titled by the director of revenue, other laws regulating  
5 licensing of motor vehicles to the contrary notwithstanding.

6         2. Such institution shall file an application in a form prescribed by the  
7 director, verified by affidavit, that such vehicle meets the requirements of  
8 subsection 1 of this section.

9         3. The plate issued by the director shall be the collegiate plate of the  
10 institution and shall display the term "solar" in a manner prescribed by the  
11 director.

12         4. The institution shall pay the applicable fees as determined by the  
13 director.

14         5. Such motor vehicle shall be exempt from the inspections required by  
15 [section 307.350, RSMo, and] section 643.315, RSMo, and shall only be operated  
16 on the streets and highways with the approval of the institution of higher  
17 education.

307.178. 1. As used in this section, the term "passenger car" means every  
2 motor vehicle designed for carrying ten persons or less and used for the  
3 transportation of persons; except that, the term "passenger car" shall not include  
4 motorcycles, motorized bicycles, **or** motor tricycles[, and trucks with a licensed  
5 gross weight of twelve thousand pounds or more].

6         2. Each driver[, except persons employed by the United States Postal  
7 Service while performing duties for that federal agency which require the  
8 operator to service postal boxes from their vehicles, or which require frequent  
9 entry into and exit from their vehicles,] and [front seat] passenger of a passenger  
10 car manufactured after January 1, 1968, operated on a street or highway in this  
11 state, and persons [less than eighteen years of age] operating or riding in a truck,  
12 as defined in section 301.010, RSMo, on a street or highway of this state shall  
13 wear a properly adjusted and fastened safety belt that meets federal National  
14 Highway, Transportation and Safety Act requirements. [No person shall be  
15 stopped, inspected, or detained solely to determine compliance with this  
16 subsection.] The provisions of this section and section 307.179 shall not be  
17 applicable to [persons] **any person** who [have] **possesses documentation**  
18 **from a physician that such person has** a medical reason for failing to have  
19 a seat belt fastened about their body[, nor shall]. **No person shall be found**  
20 **guilty of violating this section or section 307.179 if such person**

21 **demonstrates that he or she has a medical reason for failing to have a**  
22 **seat belt fastened about their body.** The provisions of this section **shall not**  
23 be applicable to persons while operating or riding a motor vehicle being used in  
24 agricultural work-related activities. Noncompliance with this subsection shall not  
25 constitute probable cause for violation of any other provision of law. The  
26 provisions of this subsection shall not apply to the transporting of children under  
27 sixteen years of age, as provided in section 307.179. **Persons employed by the**  
28 **United States Postal Service while performing duties for that federal**  
29 **agency which require the operator to service postal boxes from their**  
30 **vehicles, or which require frequent entry into and exit from their**  
31 **vehicles are exempt from the provisions of this subsection.**

32 3. Each driver of a motor vehicle transporting a child less than sixteen  
33 years of age shall secure the child in a properly adjusted and fastened restraint  
34 under section 307.179.

35 4. In any action to recover damages arising out of the ownership, common  
36 maintenance or operation of a motor vehicle, failure to wear a safety belt in  
37 violation of this section shall not be considered evidence of comparative  
38 negligence. Failure to wear a safety belt in violation of this section may be  
39 admitted to mitigate damages, but only under the following circumstances:

40 (1) Parties seeking to introduce evidence of the failure to wear a safety  
41 belt in violation of this section must first introduce expert evidence proving that  
42 a failure to wear a safety belt contributed to the injuries claimed by plaintiff;

43 (2) If the evidence supports such a finding, the trier of fact may find that  
44 the plaintiff's failure to wear a safety belt in violation of this section contributed  
45 to the plaintiff's claimed injuries, and may reduce the amount of the plaintiff's  
46 recovery by an amount not to exceed one percent of the damages awarded after  
47 any reductions for comparative negligence.

48 5. Except as otherwise provided for in section 307.179, each person who  
49 violates the provisions of subsection 2 of this section is guilty of an infraction for  
50 which a fine not to exceed ten dollars may be imposed. All other provisions of law  
51 and court rules to the contrary notwithstanding, no court costs shall be imposed  
52 on any person due to a violation of this section. In no case shall points be  
53 assessed against any person, pursuant to section 302.302, RSMo, for a violation  
54 of this section.

55 6. The state highways and transportation commission shall initiate and  
56 develop a program of public information to develop understanding of, and ensure

57 compliance with, the provisions of this section. The commission shall evaluate  
58 the effectiveness of this section and shall include a report of its findings in the  
59 annual evaluation report on its highway safety plan that it submits to NHTSA  
60 and FHWA pursuant to 23 U.S.C. 402.

61 7. If there are more persons than there are seat belts in the enclosed area  
62 of a motor vehicle, then the passengers who are unable to wear seat belts  
63 **because all existing seat belts are in use** shall sit [in the area] **on the**  
64 **seats** behind the front seat of the motor vehicle unless the motor vehicle is  
65 designed only for a front-seated area. The passenger or passengers occupying a  
66 seat location referred to in this subsection is not in violation of this section. This  
67 subsection shall not apply to passengers who are accompanying a driver of a  
68 motor vehicle who is licensed under section 302.178, RSMo.

307.375. 1. The owner of every bus used to transport children to or from  
2 school in addition to any other inspection required by law shall submit the vehicle  
3 to an [official] inspection [station] **conducted by the state highway patrol**  
4 **or by any entity approved by the state highway patrol**, and obtain a  
5 certificate of inspection, sticker, seal or other device annually, but the inspection  
6 of the vehicle shall not be made more than sixty days prior to operating the  
7 vehicle during the school year. The inspection shall[, in addition to the  
8 inspection of the mechanism and equipment required for all motor vehicles under  
9 the provisions of sections 307.350 to 307.390,] include an inspection to ascertain  
10 that the following items are correctly fitted, adjusted, and in good working  
11 condition:

- 12 (1) All mirrors, including crossview, inside, and outside;
- 13 (2) The front and rear warning flashers;
- 14 (3) The stop signal arm;
- 15 (4) The crossing control arm on public school buses required to have them  
16 pursuant to section 304.050, RSMo;
- 17 (5) The rear bumper to determine that it is flush with the bus so that  
18 hitching of rides cannot occur;
- 19 (6) The exhaust tailpipe shall be flush with or may extend not more than  
20 two inches beyond the perimeter of the body or bumper;
- 21 (7) The emergency doors and exits to determine them to be unlocked and  
22 easily opened as required;
- 23 (8) The lettering and signing on the front, side and rear of the bus;
- 24 (9) The service door;

- 25 (10) The step treads;
- 26 (11) The aisle mats or aisle runners;
- 27 (12) The emergency equipment which shall include as a minimum a first  
28 aid kit, flares or fuses, and a fire extinguisher;
- 29 (13) The seats, including a determination that they are securely fastened  
30 to the floor;
- 31 (14) The emergency door buzzer;
- 32 (15) All hand hold grips;
- 33 (16) The interior glazing of the bus;
- 34 **(17) The brakes;**
- 35 **(18) The lighting equipment;**
- 36 **(19) The signaling devices;**
- 37 **(20) The steering mechanism;**
- 38 **(21) The horns;**
- 39 **(22) The windshield wipers;**
- 40 **(23) The tires;**
- 41 **(24) The wheels;**
- 42 **(25) The exhaust system;**
- 43 **(26) The glazing;**
- 44 **(27) Any air pollution control devices;**
- 45 **(28) The fuel system;**
- 46 **(29) Any other safety equipment required by the superintendent**  
47 **as provided by rule and regulation.**

48 2. In addition to the inspection required by subsection 1 of this section,  
49 the Missouri state highway patrol shall conduct an inspection after February first  
50 of each school year of all vehicles required to be marked as school buses under  
51 section 304.050, RSMo. This inspection shall be conducted by the Missouri  
52 highway patrol in cooperation with the department of elementary and secondary  
53 education and shall include, as a minimum, items in subsection 1 of this section  
54 and the following:

- 55 (1) The driver seat belts;
- 56 (2) The heating and defrosting systems;
- 57 (3) The reflectors;
- 58 (4) The bus steps;
- 59 (5) The aisles;
- 60 (6) The frame.

61           3. If, upon inspection, conditions which violate the standards in subsection  
62 2 of this section are found, the owner or operator shall have them corrected in ten  
63 days and notify the superintendent of the Missouri state highway patrol or those  
64 persons authorized by the superintendent. If the defects or unsafe conditions  
65 found constitute an immediate danger, the bus shall not be used until corrections  
66 are made and the superintendent of the Missouri state highway patrol or those  
67 persons authorized by the superintendent are notified.

68           4. The Missouri highway patrol may inspect any school bus at any time  
69 and if such inspection reveals a deficiency affecting the safe operation of the bus,  
70 the provisions of subsection 3 of this section shall be applicable.

71           **5. The superintendent shall promulgate rules and regulations to**  
72 **implement and administer the provisions of this section. Any rule or**  
73 **portion of a rule, as that term is defined in section 536.010, RSMo, that**  
74 **is created under the authority delegated in this section shall become**  
75 **effective only if it complies with and is subject to all of the provisions**  
76 **of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This**  
77 **section and chapter 536, RSMo, are nonseverable and if any of the**  
78 **powers vested with the general assembly pursuant to chapter 536,**  
79 **RSMo, to review, to delay the effective date, or to disapprove and annul**  
80 **a rule are subsequently held unconstitutional, then the grant of**  
81 **rulemaking authority and any rule proposed or adopted after August**  
82 **28, 2007, shall be invalid and void.**

          307.390. 1. Any person who violates any provision of [sections 307.350  
2 to 307.390] **section 307.375** is guilty of a misdemeanor and upon conviction shall  
3 be punished as provided by law.

4           2. The superintendent of the Missouri state highway patrol may assign  
5 qualified persons who are not highway patrol officers to investigate and enforce  
6 motor vehicle safety inspection laws and regulations pursuant to [sections  
7 307.350 to 307.390] **section 307.375** and sections 643.300 to 643.355, RSMo. A  
8 person assigned by the superintendent pursuant to the authority granted by this  
9 subsection shall be designated a motor vehicle inspector and shall have limited  
10 powers to issue a uniform complaint and summons for a violation of the motor  
11 vehicle inspection laws and regulations. A motor vehicle inspector shall not have  
12 authority to exercise the power granted in this subsection until such inspector  
13 successfully completes training provided by, and to the satisfaction of, the  
14 superintendent.

643.303. 1. Beginning September 1, 2007, emissions inspections required  
2 by sections 643.300 to 643.355 shall be conducted through a decentralized  
3 emissions program that meets the requirements of this section. Prior to  
4 September 1, 2007, the air conservation commission shall develop a decentralized  
5 emissions inspection program that allows official inspection stations to conduct  
6 on-board diagnostic emission inspections of 1996 model year and newer motor  
7 vehicles equipped with on-board diagnostic systems meeting the federal  
8 Environmental Protection Agency On-Board Diagnostics II (OBDII)  
9 standards. The decentralized emissions inspection program shall, at a minimum,  
10 provide for the following:

11 (1) The periodic inspection of certain motor vehicles as required under  
12 section 643.315;

13 (2) The certification and operation of official emissions inspection stations  
14 and the licensing of emission inspectors;

15 (3) The testing of motor vehicles through on-board diagnostic testing  
16 technologies;

17 (4) The training, certification, and supervision of emission inspectors and  
18 other personnel; and

19 (5) Procedures for certifying test results and for reporting and  
20 maintaining relevant data records.

21 2. In addition to any other criteria established by the commission under  
22 section 643.320 or by rule, the decentralized emissions inspection program shall  
23 allow any [official inspection station] **individual, corporation, or entity that**  
24 **is certified under sections 643.200 to 643.355** located in an area described  
25 in subsection 1 of section 643.305 [otherwise qualified by the Missouri state  
26 highway patrol to conduct motor vehicle safety inspections under section 307.360,  
27 RSMo,] to conduct on-board diagnostic emission inspections. Any [motor vehicle  
28 safety inspection station] **individual, corporation, or entity** that desires to  
29 conduct emissions inspections shall submit an application for a certificate of  
30 authorization to the commission as provided for under section 643.320. [Other]  
31 **Such** individuals, corporations, or entities [that do not conduct motor vehicle  
32 safety inspections] may conduct emission inspections provided they meet the  
33 qualifications set forth in sections 643.300 to 643.355 and the rules promulgated  
34 by the commission. Applications shall be made upon a form designated by the  
35 commission and shall contain such information as may be required by the  
36 commission. A certificate of authorization issued under section 643.320 to

37 conduct emission inspections shall be issued only after the commission has made  
38 a determination that the applicant's proposed inspection station will be properly  
39 equipped, has the necessary licensed emission inspectors to conduct inspections,  
40 and meets all other requirements of sections 643.300 to 643.355 or rules  
41 promulgated to carry out the provisions of those sections.

42 3. The decentralized emissions inspection program shall allow any official  
43 inspection station that is certified to conduct an on-board diagnostic emission  
44 inspection under sections 643.300 to 643.355 to repair motor vehicles in order to  
45 bring such vehicles into compliance with sections 643.300 to 643.355, if such  
46 station and personnel meet the qualifications to conduct emission repairs as set  
47 forth in sections 643.300 to 643.355. An official emission inspection station may  
48 elect to be an emissions test-only station or may elect to conduct both emission  
49 inspections and repairs.

50 4. The commission is authorized to begin certification of official inspection  
51 stations prior to September 1, 2007, in order to implement the decentralized  
52 emissions inspection program. Prior to January 1, 2007, the department of  
53 natural resources shall issue a report to the general assembly and the governor  
54 regarding the progress of implementing the decentralized emissions inspection  
55 program. The report shall include, but not be limited to, a summary describing  
56 how many inspection stations or individuals the department expects to  
57 participate in the program and how many inspection stations or individuals will  
58 be qualified by September 1, 2007, to conduct such emissions inspections.

59 5. The commission may, as a part of implementing the decentralized  
60 emissions inspection program, use remote sensing devices to collect information  
61 regarding the vehicle fleet emissions characteristics and registration compliance  
62 within the area described in subsection 1 of section 643.305. The decentralized  
63 emissions inspection program established by the commission may also include a  
64 clean screen program that utilizes remote sensing devices. Owners of eligible  
65 vehicles who comply with clean screen/remote sensing procedures shall be deemed  
66 to have complied with the mandatory inspection requirements for the next  
67 inspection cycle. As used in this subsection, the term "clean screen program"  
68 shall mean a procedure or system that utilizes remote sensing technologies to  
69 determine whether a motor vehicle has acceptable emission levels and then allows  
70 the motor vehicle owner to bypass the emissions inspection test required under  
71 section 643.315.

72 6. [The decentralized emissions inspection program may include a gas cap

73 pressure test and a visual inspection component, and such tests may be included  
74 as part of the motor vehicle safety inspection test under section 307.350, RSMo.

75 [7.] As used in sections 643.300 to 643.355, "decentralized emissions  
76 inspection program" means an emissions inspection program under which a  
77 certified emissions inspector conducts emissions inspection testing at an official  
78 inspection station.

79 [8.] 7. The decentralized emission inspection program shall satisfy the  
80 requirements established by regulation of the United States Environmental  
81 Protection Agency.

82 [9.] 8. The decentralized emissions inspection program established by the  
83 commission and sections 643.300 to 643.355 shall not be construed to be a new  
84 program as described in section 23.253, RSMo, and the decentralized emissions  
85 inspection program shall not be subject to the sunset mandate prescribed by  
86 sections 23.250 to 23.298, RSMo.

87 [10.] 9. No later than July 1, 2007, the department of natural resources  
88 and the Missouri highway patrol shall enter into an interagency agreement  
89 covering all aspects of the administration and enforcement of sections 643.300 to  
90 643.355.

91 [11.] 10. No later than July 1, 2007, the air conservation commission  
92 shall promulgate rules for the implementation of this section. Any rule or portion  
93 of a rule, as that term is defined in section 536.010, RSMo, that is created under  
94 the authority delegated in this section shall become effective only if it complies  
95 with and is subject to all of the provisions of chapter 536, RSMo, and, if  
96 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are  
97 nonseverable and if any of the powers vested with the general assembly under  
98 chapter 536, RSMo, to review, to delay the effective date, or to disapprove and  
99 annul a rule are subsequently held unconstitutional, then the grant of  
100 rulemaking authority and any rule proposed or adopted after August 28, 2006,  
101 shall be invalid and void.

102 [12.] 11. Prior to September 1, 2007, the department of natural resources  
103 shall actively promote participation in the decentralized emissions inspection  
104 program among qualified motor vehicle dealers, service stations, and other  
105 individuals. After the implementation of the decentralized emission inspection  
106 program, the department shall monitor participation in such program. In  
107 determining whether there are a sufficient number of individuals conducting  
108 motor vehicle emission inspections under the decentralized program, the

109 department shall attempt to ensure, through promotional efforts, that no more  
110 than twenty percent of all persons residing in the affected nonattainment area  
111 reside farther than five miles from the nearest inspection station.

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor  
2 vehicles which are domiciled, registered or primarily operated in an area for  
3 which the commission has established a motor vehicle emissions inspection  
4 program pursuant to sections 643.300 to 643.355 shall be inspected and approved  
5 prior to sale or transfer; provided that, if such vehicle is inspected and approved  
6 prior to sale or transfer, such vehicle shall not be subject to another emissions  
7 inspection for ninety days after the date of sale or transfer of such vehicle. In  
8 addition, any such vehicle manufactured as an even-numbered model year vehicle  
9 shall be inspected and approved under the emissions inspection program  
10 established pursuant to sections 643.300 to 643.355 in each even-numbered  
11 calendar year and any such vehicle manufactured as an odd-numbered model year  
12 vehicle shall be inspected and approved under the emissions inspection program  
13 established pursuant to sections 643.300 to 643.355 in each odd-numbered  
14 calendar year. All motor vehicles subject to the inspection requirements of  
15 sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and  
16 when applicable, a valid emissions inspection certificate shall be presented at the  
17 time of registration or registration renewal of such motor vehicle. The  
18 department of revenue shall require evidence of the [safety and] emission  
19 inspection and approval required by this section in issuing the motor vehicle  
20 annual registration in conformity with the procedure required by [sections  
21 307.350 to 307.390, RSMo, and] sections 643.300 to 643.355. The director of  
22 revenue may verify that a successful [safety and] emissions inspection was  
23 completed via electronic means.

24 2. The inspection requirement of subsection 1 of this section shall apply  
25 to all motor vehicles except:

26 (1) Motor vehicles with a manufacturer's gross vehicle weight rating in  
27 excess of eight thousand five hundred pounds;

28 (2) Motorcycles and motortricycles if such vehicles are exempted from the  
29 motor vehicle emissions inspection under federal regulation and approved by the  
30 commission by rule;

31 (3) Model year vehicles manufactured prior to 1996;

32 (4) Vehicles which are powered exclusively by electric or hydrogen power  
33 or by fuels other than gasoline which are exempted from the motor vehicle

34 emissions inspection under federal regulation and approved by the commission  
35 by rule;

36 (5) Motor vehicles registered in an area subject to the inspection  
37 requirements of sections 643.300 to 643.355 which are domiciled and operated  
38 exclusively in an area of the state not subject to the inspection requirements of  
39 sections 643.300 to 643.355, but only if the owner of such vehicle presents to the  
40 department an affidavit that the vehicle will be operated exclusively in an area  
41 of the state not subject to the inspection requirements of sections 643.300 to  
42 643.355 for the next twenty-four months, and the owner applies for and receives  
43 a waiver which shall be presented at the time of registration or registration  
44 renewal;

45 (6) New and unused motor vehicles, of model years of the current calendar  
46 year and of any calendar year within two years of such calendar year, which have  
47 an odometer reading of less than six thousand miles at the time of original sale  
48 by a motor vehicle manufacturer or licensed motor vehicle dealer to the first user;

49 (7) Historic motor vehicles registered pursuant to section 301.131, RSMo;

50 (8) School buses;

51 (9) Heavy-duty diesel-powered vehicles with a gross vehicle weight rating  
52 in excess of eight thousand five hundred pounds;

53 (10) New motor vehicles that have not been previously titled and  
54 registered, for the four-year period following their model year of manufacture[,  
55 provided the odometer reading for such motor vehicles are under forty thousand  
56 miles at their first required biennial safety inspection conducted under sections  
57 307.350 to 307.390, RSMo; otherwise such motor vehicles shall be subject to the  
58 emissions inspection requirements of subsection 1 of this section during the same  
59 period that the biennial safety inspection is conducted]; and

60 (11) Motor vehicles that are driven fewer than twelve thousand miles  
61 [between biennial safety inspections] **on a biennial basis.**

62 3. The commission may, by rule, allow inspection reciprocity with other  
63 states having equivalent or more stringent testing and waiver requirements than  
64 those established pursuant to sections 643.300 to 643.355.

65 4. (1) At the time of sale, a licensed motor vehicle dealer, as defined in  
66 section 301.550, RSMo, may choose to sell a motor vehicle subject to the  
67 inspection requirements of sections 643.300 to 643.355 either:

68 (a) With prior inspection and approval as provided in subdivision (2) of  
69 this subsection; or

70 (b) Without prior inspection and approval as provided in subdivision (3)  
71 of this subsection.

72 (2) If the dealer chooses to sell the vehicle with prior inspection and  
73 approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle  
74 obtained approval by meeting the emissions standards established pursuant to  
75 sections 643.300 to 643.355 or by obtaining a waiver pursuant to section 643.335.  
76 A vehicle sold pursuant to this subdivision by a licensed motor vehicle dealer  
77 shall be inspected and approved within the one hundred twenty days immediately  
78 preceding the date of sale, and, for the purpose of registration of such vehicle,  
79 such inspection shall be considered timely.

80 (3) If the dealer chooses to sell the vehicle without prior inspection and  
81 approval, the purchaser may return the vehicle within ten days of the date of  
82 purchase, provided that the vehicle has no more than one thousand additional  
83 miles since the time of sale, if the vehicle fails, upon inspection, to meet the  
84 emissions standards specified by the commission and the dealer shall have the  
85 vehicle inspected and approved without the option for a waiver of the emissions  
86 standard and return the vehicle to the purchaser with a valid emissions  
87 certificate and sticker within five working days or the purchaser and dealer may  
88 enter into any other mutually acceptable agreement. If the dealer chooses to sell  
89 the vehicle without prior inspection and approval, the dealer shall disclose  
90 conspicuously on the sales contract and bill of sale that the purchaser has the  
91 option to return the vehicle within ten days, provided that the vehicle has no  
92 more than one thousand additional miles since the time of sale, to have the dealer  
93 repair the vehicle and provide an emissions certificate and sticker within five  
94 working days if the vehicle fails, upon inspection, to meet the emissions  
95 standards established by the commission, or enter into any mutually acceptable  
96 agreement with the dealer. A violation of this subdivision shall be an unlawful  
97 practice as defined in section 407.020, RSMo. No emissions inspection shall be  
98 required pursuant to sections 643.300 to 643.360 for the sale of any motor vehicle  
99 which may be sold without a certificate of inspection and approval, as provided  
100 pursuant to subsection 2 of section 307.380, RSMo.

2 [307.350. 1. The owner of every motor vehicle as defined in  
3 section 301.010, RSMo, which is required to be registered in this  
4 state, except:

5 (1) New motor vehicles which have not been previously  
6 titled and registered, for the two-year period following their model

6 year of manufacture;

7 (2) Those motor vehicles which are engaged in interstate  
8 commerce and are proportionately registered in this state with the  
9 Missouri highway reciprocity commission, although the owner may  
10 request that such vehicle be inspected by an official inspection  
11 station, and a peace officer may stop and inspect such vehicles to  
12 determine whether the mechanical condition is in compliance with  
13 the safety regulations established by the United States Department  
14 of Transportation; and

15 (3) Historic motor vehicles registered pursuant to section  
16 301.131, RSMo;  
17 shall submit such vehicles to a biennial inspection of their  
18 mechanism and equipment in accordance with the provisions of  
19 sections 307.350 to 307.390 and obtain a certificate of inspection  
20 and approval and a sticker, seal, or other device from a duly  
21 authorized official inspection station. The inspection, except the  
22 inspection of school buses which shall be made at the time provided  
23 in section 307.375, shall be made at the time prescribed in the  
24 rules and regulations issued by the superintendent of the Missouri  
25 state highway patrol; but the inspection of a vehicle shall not be  
26 made more than sixty days prior to the date of application for  
27 registration or within sixty days of when a vehicle's registration is  
28 transferred. Any vehicle manufactured as an even-numbered  
29 model year vehicle shall be inspected and approved pursuant to the  
30 safety inspection program established pursuant to sections 307.350  
31 to 307.390 in each even-numbered calendar year and any such  
32 vehicle manufactured as an odd-numbered model year vehicle shall  
33 be inspected and approved pursuant to sections 307.350 to 307.390  
34 in each odd-numbered year. The certificate of inspection and  
35 approval shall be a sticker, seal, or other device or combination  
36 thereof, as the superintendent of the Missouri state highway patrol  
37 prescribes by regulation and shall be displayed upon the motor  
38 vehicle or trailer as prescribed by the regulations established by  
39 him. The replacement of certificates of inspection and approval  
40 which are lost or destroyed shall be made by the superintendent of  
41 the Missouri state highway patrol under regulations prescribed by

42 him.

43 2. For the purpose of obtaining an inspection only, it shall  
44 be lawful to operate a vehicle over the most direct route between  
45 the owner's usual place of residence and an inspection station of  
46 such owner's choice, notwithstanding the fact that the vehicle does  
47 not have a current state registration license. It shall also be lawful  
48 to operate such a vehicle from an inspection station to another  
49 place where repairs may be made and to return the vehicle to the  
50 inspection station notwithstanding the absence of a current state  
51 registration license.

52 3. No person whose motor vehicle was duly inspected and  
53 approved as provided in this section shall be required to have the  
54 same motor vehicle again inspected and approved for the sole  
55 reason that such person wishes to obtain a set of any special  
56 personalized license plates available pursuant to section 301.144,  
57 RSMo, or a set of any license plates available pursuant to section  
58 301.142, RSMo, prior to the expiration date of such motor vehicle's  
59 current registration.

60 4. Notwithstanding the provisions of section 307.390,  
61 violation of this section shall be deemed an infraction.]

[307.353. Other provisions of law notwithstanding, no  
2 person shall be required to have a biennial vehicle inspection  
3 during a registration period which exceeds two years. The  
4 inspection required at the beginning of the registration period shall  
5 be valid for the entire registration period.]

[307.355. 1. No state registration license to operate the  
2 type of vehicle required to be inspected by section 307.350 may be  
3 transferred or issued during a biennial registration year in which  
4 the vehicle is required to be inspected unless the application is  
5 accompanied by a certificate of inspection and approval issued no  
6 more than sixty days prior to the date of application, or in the case  
7 of school buses, which will be required to be inspected annually as  
8 provided in section 307.375, except:

9 (1) The director of revenue may transfer or issue a state  
10 registration license to the type of vehicle required to be inspected  
11 by section 307.350 without a certificate of inspection and approval

12 accompanying the application if the director has satisfactory  
13 evidence that the vehicle was not in the state of Missouri at any  
14 time during the sixty days prior to the date of application; however,  
15 the owner of every such vehicle must submit the vehicle for  
16 inspection and obtain a certificate of inspection and approval  
17 within ten days after the vehicle is first returned to the state of  
18 Missouri;

19 (2) The director of revenue shall renew a vehicle's  
20 registration license without a certificate of inspection and approval  
21 accompanying the application if satisfactory documentary evidence  
22 is presented at the time of application that the license being  
23 renewed was properly transferred within a six-month period prior  
24 to the expiration of the license being renewed or that the vehicle  
25 for which the registration is being issued was issued a registration  
26 for a period of less than one year for the registration period just  
27 expiring.

28 2. If due to interstate operation a commercial motor vehicle  
29 as defined in section 301.010, RSMo, or a trailer of the type  
30 required to be inspected is required to obtain full fee registration  
31 in this and any other state during the same calendar year, no  
32 Missouri certificate of inspection and approval is required if the  
33 vehicle bears evidence that a current valid inspection sticker or  
34 decal was issued by such other state in which the vehicle is  
35 registered; provided that the sticker or decal issued by such other  
36 state is valid for the registration period in this state.

37 3. After a commercial motor vehicle as defined in section  
38 301.010, RSMo, has been registered for the current year, no  
39 certificate of inspection and approval is required when a local  
40 commercial motor vehicle license is changed to a beyond-local  
41 commercial motor vehicle license or when the licensed gross weight  
42 is changed during the licensed period.]

2 [307.360. 1. The superintendent of the Missouri state  
3 highway patrol shall issue permits and written instructions to  
4 official inspection stations and shall furnish forms and certificates  
5 for the inspection of brakes, lighting equipment, signaling devices,  
steering mechanisms, horns, mirrors, windshield wipers, tires,

6 wheels, exhaust system, glazing, air pollution control devices, fuel  
7 system, and any other safety equipment required by the state. In  
8 no instance will road testing of a vehicle be considered a part of the  
9 inspection procedure.

10 2. The superintendent of the Missouri state highway patrol  
11 shall prescribe the standards and equipment necessary for an  
12 official inspection station and the qualifications for persons who  
13 conduct the inspections, and no applicant may be approved to  
14 operate an official inspection station until the applicant meets the  
15 standards and has the required equipment and qualified inspectors  
16 as prescribed. The superintendent of the Missouri state highway  
17 patrol shall establish standards and procedures to be followed in  
18 the making of inspections required by sections 307.350 to 307.390  
19 and shall prescribe rules and regulations for the operation of the  
20 stations.

21 3. (1) The application for permit as an official inspection  
22 station shall be made to the superintendent of the Missouri state  
23 highway patrol on a form furnished by the superintendent. The fee  
24 for a permit to operate an official inspection station shall be ten  
25 dollars per year and each permit shall be renewed annually on the  
26 date of issue. All fees shall be payable to the director of revenue  
27 and shall be deposited by him in the state treasury to the credit of  
28 the state highway fund.

29 (2) The application shall set forth the name under which  
30 applicant transacts or intends to transact business, the location of  
31 the applicant's place of business and such other information as the  
32 superintendent of the Missouri state highway patrol may require.  
33 If the applicant has or intends to have more than one place of  
34 business within the state, a separate application shall be made for  
35 each place of business. If the applicant is a partnership, the  
36 application shall set forth the names of the partners; if a  
37 corporation, the names of the officers shall be shown. The  
38 application shall be signed and verified by oath or affirmation of  
39 the owner or an authorized officer or partner.

40 (3) Each location which fulfills the superintendent of the  
41 Missouri state highway patrol's requirements and whose owners,

42 proprietors and employees comply with the superintendent's  
43 regulations and qualifications shall be designated as an official  
44 inspection station and the applicant issued a certificate. The  
45 superintendent of the Missouri state highway patrol shall  
46 investigate all applicants for inspection station permits to  
47 determine whether or not the premises, equipment and personnel  
48 meet the requirements prescribed by him.

49 (4) Any automobile mechanic who has had at least one year  
50 of practical experience as an automotive mechanic or any person  
51 who has successfully completed a course of vocational instruction  
52 in automotive mechanics from a generally recognized educational  
53 institution, either public or private, and who has demonstrated the  
54 knowledge and ability to conduct an inspection in compliance with  
55 the regulations established by the superintendent of the Missouri  
56 state highway patrol may be issued a permit to conduct inspections  
57 at any official inspection station. No person without a valid permit  
58 shall conduct any part of an inspection, except a person without a  
59 valid permit may assist in the inspection of a vehicle by operating  
60 the vehicle's lighting equipment and signaling devices. The  
61 superintendent of the Missouri state highway patrol may require  
62 a mechanic to be reexamined at any time to determine the  
63 mechanic's knowledge and ability to conduct an inspection. If the  
64 mechanic fails the reexamination or refuses to be reexamined, the  
65 permit issued to the mechanic shall be suspended until the  
66 mechanic passes the examination but under no circumstances can  
67 the mechanic again be tested until a period of thirty days has  
68 elapsed. No fee shall be charged for the permit and the permit  
69 shall remain valid for a period of three years from the date of issue  
70 or until suspended or revoked by the superintendent of the  
71 Missouri state highway patrol.

72 (5) The superintendent of the Missouri state highway patrol  
73 may issue a private official inspection station permit to any  
74 association, person, partnership, corporation and/or subsidiary  
75 corporation, and governmental entity having registered or titled in  
76 his, her or its name in this state one or more vehicles of the type  
77 required to be inspected by section 307.350, or who maintains such

78 vehicles under a written maintenance agreement of at least one  
79 year's duration and who maintains approved inspection facilities  
80 and has qualified personnel; but separate permits must be obtained  
81 for separate facilities of the same association, person, partnership,  
82 corporation and/or subsidiary corporation, or governmental  
83 entity. Such private stations shall inspect only vehicles registered  
84 or to be registered, titled or to be titled or maintained in the name  
85 of the person or organization described on the application for  
86 permit. No fee shall be charged for a permit issued to a  
87 governmental entity.

88 4. (1) The superintendent of the Missouri state highway  
89 patrol shall supervise and cause inspections to be made of the  
90 official inspection stations and inspecting personnel and if the  
91 superintendent finds that the provisions of sections 307.350 to  
92 307.390 or the regulations issued pursuant to sections 307.350 to  
93 307.390 are not being complied with, or that the business of an  
94 official inspection station, in connection with corrections,  
95 adjustments, repairs or inspection of vehicles is being improperly  
96 conducted, the superintendent shall suspend or revoke the permit  
97 of the station for a period of not less than thirty days or more than  
98 one year and require the immediate surrender and return of the  
99 permit, together with all official forms and certificates of inspection  
100 and approval. If the superintendent finds that an inspector has  
101 violated any of the provisions of sections 307.350 to 307.390 or the  
102 regulations issued pursuant to sections 307.350 to 307.390, the  
103 superintendent shall suspend or revoke the inspector's permit for  
104 a period of not less than thirty days nor more than one year. If a  
105 station operator or if an inspector violates any of the provisions of  
106 sections 307.350 to 307.390, he or she is subject to prosecution as  
107 provided in section 307.390.

108 (2) The suspension or revocation of a station permit or of an  
109 inspector's permit shall be in writing to the operator, inspector, or  
110 the person in charge of the station. Before suspending or revoking  
111 either of the permits, the superintendent shall serve notice in  
112 writing by certified mail or by personal service to the permittee at  
113 the permittee's address of record giving the permittee the

114 opportunity to appear in the office of the superintendent on a  
115 stated date, not less than ten nor more than thirty days after the  
116 mailing or service of the notice, for a hearing to show cause why  
117 the permittee's permit should not be suspended or revoked. An  
118 inspection station owner or an inspector may appear in person or  
119 by counsel in the office of the superintendent to show cause why  
120 the proposed suspension or revocation is in error, or to present any  
121 other facts or testimony that would bear on the final decision of the  
122 superintendent. If the permittee or the permittee's agent does not  
123 appear on the stated day after receipt of notice, it shall be  
124 presumed that the permittee admits the allegations of fact  
125 contained in the hearing notification letter. The decision of the  
126 superintendent may in such case be based upon the written reports  
127 submitted by the superintendent's officers. The order of the  
128 superintendent, specifying his findings of fact and conclusions of  
129 law, shall be considered final immediately after receipt of notice  
130 thereof by the permittee.

131 (3) Any person whose permit is suspended or revoked or  
132 whose application for a permit is denied may within ten days  
133 appeal the action as provided in chapter 536, RSMo.]

[307.365. 1. No permit for an official inspection station  
2 shall be assigned or transferred or used at any location other than  
3 therein designated and every permit shall be posted in a  
4 conspicuous place at the location designated. The superintendent  
5 of the Missouri state highway patrol shall design and furnish each  
6 official inspection station, at no cost, one official sign made of metal  
7 or other durable material to be displayed in a conspicuous location  
8 to designate the station as an official inspection  
9 station. Additional signs may be obtained by an official inspection  
10 station for a fee equal to the cost to the state. Each inspection  
11 station shall also be supplied with one or more posters which must  
12 be displayed in a conspicuous location at the place of inspection  
13 and which informs the public that required repairs or corrections  
14 need not be made at the inspection station.

15 2. No person operating an official inspection station  
16 pursuant to the provisions of sections 307.350 to 307.390 may issue

17 a certificate of inspection and approval for any vehicle except upon  
18 an official form furnished by the superintendent of the Missouri  
19 state highway patrol for that purpose and only after inspecting the  
20 vehicle and determining that its brakes, lighting equipment,  
21 signaling devices, steering mechanisms, horns, mirrors, windshield  
22 wipers, tires, wheels, exhaust system, glazing, air pollution control  
23 devices, fuel system and any other safety equipment as required by  
24 the state are in proper condition and adjustment to be operated  
25 upon the public highways of this state with safety to the driver or  
26 operator, other occupants therein, as well as other persons and  
27 property upon the highways, as provided by sections 307.350 to  
28 307.390 and the regulations prescribed by the superintendent of  
29 the Missouri state highway patrol. Brakes may be inspected for  
30 safety by means of visual inspection or computerized brake  
31 testing. No person operating an official inspection station shall  
32 furnish, loan, give or sell a certificate of inspection and approval to  
33 any other person except those entitled to receive it under  
34 provisions of sections 307.350 to 307.390. No person shall have in  
35 such person's possession any certificate of inspection and approval  
36 and/or inspection sticker with knowledge that the certificate and/or  
37 inspection sticker has been illegally purchased, stolen or  
38 counterfeited.

39 3. The superintendent of the Missouri state highway patrol  
40 may require officially designated stations to furnish reports upon  
41 forms furnished by the superintendent for that purpose as the  
42 superintendent considers reasonably necessary for the proper and  
43 efficient administration of sections 307.350 to 307.390.

44 4. If, upon inspection, defects or unsafe conditions are  
45 found, the owner may correct them or shall have them corrected at  
46 any place the owner chooses within twenty days after the defect or  
47 unsafe condition is found, and shall have the right to remove the  
48 vehicle to such place for correction, but before the vehicle is  
49 operated thereafter upon the public highways of this state, a  
50 certificate of inspection and approval must be obtained. The  
51 inspecting personnel of the official inspection station must inform  
52 the owner that the corrections need not be made at the inspection

53 station.

54 5. A fee, not to exceed twelve dollars, as determined by each  
55 official inspection station, may be charged by an official inspection  
56 station for each official inspection including the issuance of the  
57 certificate of inspection and approval, sticker, seal or other device  
58 and a total fee, not to exceed ten dollars, as determined by each  
59 official inspection station, may be charged for an official inspection  
60 of a trailer or motorcycle, which shall include the issuance of the  
61 certificate of inspection and approval, sticker, seal or other  
62 device. Such fee shall be conspicuously posted on the premises of  
63 each such official inspection station. No owner shall be charged an  
64 additional inspection fee upon having corrected defects or unsafe  
65 conditions found in an inspection completed within the previous  
66 twenty consecutive days, excluding Saturdays, Sundays and  
67 holidays, if such follow-up inspection is made by the station making  
68 the initial inspection. Every inspection for which a fee is charged  
69 shall be a complete inspection, and upon completion of the  
70 inspection, if any defects are found the owner of the vehicle shall  
71 be furnished a list of the defects and a receipt for the fee paid for  
72 the inspection. If the owner of a vehicle decides to have any  
73 necessary repairs or corrections made at the official inspection  
74 station, the owner shall be furnished a written estimate of the cost  
75 of such repairs before such repairs or corrections are made by the  
76 official inspection station. The written estimate shall have plainly  
77 written upon it that the owner understands that the corrections  
78 need not be made by the official inspection station and shall have  
79 a signature line for the owner. The owner must sign below the  
80 statement on the signature line before any repairs are made.

81 6. Certificates of inspection and approval, sticker, seal or  
82 other device shall be purchased by the official inspection stations  
83 from the superintendent of the Missouri state highway patrol. The  
84 superintendent of the Missouri state highway patrol shall collect  
85 a fee of one dollar and fifty cents for each certificate of inspection,  
86 sticker, seal or other device issued to the official inspection  
87 stations, except that no charge shall be made for certificates of  
88 inspection, sticker, seal or other device issued to official inspection

89 stations operated by governmental entities. All fees collected shall  
90 be deposited in the state treasury with one dollar of each fee  
91 collected credited to the state highway fund and, for the purpose of  
92 administering and enforcing the state motor vehicle laws and  
93 traffic regulations, fifty cents credited to the "Highway Patrol  
94 Inspection Fund" which is hereby created. The moneys collected  
95 and deposited in the highway patrol inspection fund shall be  
96 expended subject to appropriations by the general assembly for the  
97 administration and enforcement of sections 307.350 to 307.390 by  
98 the Missouri state highway patrol. The unexpended balance in the  
99 fund at the end of each biennium exceeding the amount of the  
100 appropriations from the fund for the first two fiscal years shall be  
101 transferred to the state road fund, and the provisions of section  
102 33.080, RSMo, relating to the transfer of funds to the general  
103 revenue fund at the end of the biennium, shall not apply to the  
104 fund.

105 7. The owner or operator of any inspection station who  
106 discontinues operation during the period that a station permit is  
107 valid or whose station permit is suspended or revoked shall return  
108 all official signs and posters and any current unused inspection  
109 stickers, seals or other devices to the superintendent of the  
110 Missouri state highway patrol and shall receive a full refund on  
111 request except for official signs and posters, provided the request  
112 is made during the calendar year or within sixty days thereafter in  
113 the manner prescribed by the superintendent of the Missouri state  
114 highway patrol. Stations which have a valid permit shall exchange  
115 unused previous year issue inspection stickers and/or decals for an  
116 identical number of current year issue, provided the unused  
117 stickers and/or decals are submitted for exchange not later than  
118 April thirtieth of the current calendar year, in the manner  
119 prescribed by the superintendent of the Missouri state highway  
120 patrol.]

2 [307.370. 1. No person shall represent in any manner any  
3 place as an official inspection station unless the station is operated  
4 under a valid permit issued by the superintendent of the Missouri  
state highway patrol.

5                   2. No person unless then holding a valid permit shall issue  
6                   a certificate of inspection and approval, sticker, seal or other  
7                   device.

8                   3. No person shall make, issue or knowingly use any  
9                   imitation or counterfeit of an official certificate of inspection,  
10                  sticker, seal or other device.

11                  4. No person shall display or cause or permit to be  
12                  displayed upon any vehicle any certificate of inspection and  
13                  approval, sticker, seal or other device knowing the same to be  
14                  fictitious or issued for another vehicle or issued without an  
15                  inspection having been made.]

                  [307.380. 1. Every vehicle of the type required to be  
2                  inspected upon having been involved in an accident and when so  
3                  directed by a police officer must be inspected and an official  
4                  certificate of inspection and approval, sticker, seal or other device  
5                  be obtained for such vehicle before it is again operated on the  
6                  highways of this state. At the seller's expense every vehicle of the  
7                  type required to be inspected by section 307.350, whether new or  
8                  used, shall immediately prior to sale be fully inspected regardless  
9                  of any current certificate of inspection and approval, and an  
10                 appropriate new certificate of inspection and approval, sticker, seal  
11                 or other device shall be obtained.

12                 2. Nothing contained in the provisions of this section shall  
13                 be construed to prohibit a dealer or any other person from selling  
14                 a vehicle without a certificate of inspection and approval if the  
15                 vehicle is sold for junk, salvage, or for rebuilding, or for vehicles  
16                 sold at public auction or from dealer to dealer. The purchaser of  
17                 any vehicle which is purchased for junk, salvage, or for rebuilding,  
18                 shall give to the seller an affidavit, on a form prescribed by the  
19                 superintendent of the Missouri state highway patrol, stating that  
20                 the vehicle is being purchased for one of the reasons stated  
21                 herein. No vehicle of the type required to be inspected by section  
22                 307.350 which is purchased as junk, salvage, or for rebuilding shall  
23                 again be registered in this state until the owner has submitted the  
24                 vehicle for inspection and obtained an official certificate of  
25                 inspection and approval, sticker, seal or other device for such

26 vehicle.

27 3. Notwithstanding the provisions of section 307.390,  
28 violation of this section shall be deemed an infraction.]

[307.385. The superintendent of the Missouri state highway  
2 patrol may notify the director of revenue and the director of  
3 revenue shall suspend the registration of any vehicle which the  
4 superintendent of the Missouri state highway patrol determines,  
5 after a written notice, is not equipped as required by law or for  
6 which a certificate required by sections 307.350 to 307.390 has not  
7 been obtained.]

Section B. The repeal of sections 307.350, 307.353, 307.355, 307.360,  
2 307.365, 307.370, 307.375, 307.380, and 307.385, the enactment of section  
3 307.383, and the repeal and reenactment of sections 301.020, 301.132, 301.147,  
4 301.190, 301.800, 307.375, 307.390, 643.303, and 643.315 shall become effective  
5 January 1, 2008.

✓  
Bill

Copy